

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

FRANK M. PECK,

Plaintiff,

vs.

STATE OF NEVADA, *et al*,

Defendants.

Case No. 2:18-cv-00237-APG-VCF

ORDER

MOTION TO EXTEND TIME (SIXTH OR
MORE REQUEST [ECF NO. 181])

Before the Court is pro se plaintiff Frank M. Peck's *seventh* motion to extend time to respond to defendants' motion to dismiss the second amended complaint. (ECF No. 181). The Court grants plaintiff's request for an extension of time to respond until **September 9, 2021** but warns the plaintiff that there will be *no further extensions* to respond to defendants' motion to dismiss the second amended complaint.

ACCORDINGLY,

IT IS ORDERED that plaintiff's seventh motion to extend time (ECF No. 181) is GRANTED IN PART. Plaintiff has until **September 9, 2021** to respond to the defendants' motion to dismiss the second amended complaint as detailed in this Order.

NOTICE

Pursuant to Local Rules IB 3-1 and IB 3-2, a party may object to orders and reports and recommendations issued by the magistrate judge. Objections must be in writing and filed with the Clerk of the Court within fourteen days. LR IB 3-1, 3-2. The Supreme Court has held that the courts of appeal

1 may determine that an appeal has been waived due to the failure to file objections within the specified
2 time. *Thomas v. Arn*, 474 U.S. 140, 142 (1985). This circuit has also held that (1) failure to file
3 objections within the specified time and (2) failure to properly address and brief the objectionable issues
4 waives the right to appeal the District Court's order and/or appeal factual issues from the order of the
5 District Court. *Martinez v. Ylst*, 951 F.2d 1153, 1157 (9th Cir. 1991); *Britt v. Simi Valley United Sch.*
6 *Dist.*, 708 F.2d 452, 454 (9th Cir. 1983).

7 Pursuant to LR IA 3-1, plaintiffs must immediately file written notification with the Court of any
8 change of address. The notification must include proof of service upon each opposing party's attorney,
9 or upon the opposing party if the party is unrepresented by counsel. **Failure to comply with this rule**
10 **may result in dismissal of the action.**

11 IT IS SO ORDERED.

12 DATED this 29th day of July 2021.



14 CAM FERENBACH
15 UNITED STATES MAGISTRATE JUDGE
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